

02/22/02

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

JC928 U.S. PTO
10/079729
02/21/02

Docket No. 64907_DIV

Anticipated Classification of
this application: Class _____

Prior Application:

Examiner: Todd J. KILKENNY

Art Unit: 1733

I HEREBY CERTIFY THIS PAPER OR FEE IS
BEING DEPOSITED WITH THE U.S. POSTAL
SERVICE "EXPRESS MAIL POST OFFICE TO
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DATE OF DEPOSIT: February 21, 2002

BOX DIVISIONAL

Director, U.S. Patent and Trademark Office
Washington, D.C. 20231

NAME: DAWN KIMLER

SIGNATURE: *Dawn Kimler*

Sir: This is a request for filing a

☐ Continuation

application under 37 CFR 1.53(b)

☒ Divisional

of pending prior application Serial No. 09/684,848 filed on

October 6, 2000 of Frederick Browne GREGG and Leslie G. BROMWELL
(date) (inventor currently of record in prior application)

for SYSTEM FOR MAKING WALLBOARD OR BACKERBOARD SHEETS INCLUDING
AERATED CONCRETE

(title of invention)

1. ☒ Enclosed is a copy of the prior application, including the oath or declaration as originally filed and an affidavit or declaration verifying it as a true copy.
2. ☐ Prepare a copy of the prior application.
3. ☒ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)
4. ☒ The filing fee is calculated below:

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10079729-022102

CLAIMS AS FILED IN THE PRIOR APPLICATION, LESS ANY CLAIMS CANCELED BY AMENDMENT BELOW:

	(Col. 1)		(Col. 2)		SMALL ENTITY			LARGE ENTITY	
FOR:	# FILED		# EXTRA		RATE	FEE		RATE	FEE
BASIC FEE						\$ 370	OR		\$ 740
TOTAL CLAIMS	23	-20	3		X 9	\$ 27	OR	X 18	\$
INDEP CLAIMS	3	- 3	0		X 42	\$	OR	X 84	\$
[] MULTIPLE DEPENDENT CLAIM PRESENTED						\$	OR		
* If the difference in Col. 1 is less than "0", enter "0" in Col. 2.					TOTAL	\$ 397		TOTAL	\$

5. [X] A check in the amount of \$ 397.00 is enclosed. If any additional extension and/or fee is required, or if any additional fee for claims is required, charge Account No. 01-0484.
6. [X] Cancel in this application original claims 1-17 of the prior application before calculating the filing fee.
7. [X] Amend the specification by inserting before the first line the sentence:
- This application is a divisional of Serial No. 09/684,848 filed on October 6, 2000, which is based upon application No. 60/158,172 filed on October 6, 1999, this disclosures of which are hereby incorporated by reference in their entirety. - -
8. [] Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file. (May only be used if signed by person authorized by Rule 138 and before payment of base issue fee.)
- 9a. [X] New formal drawings are enclosed.
- 9b. [] Priority of application Serial No. _____ filed on _____ in _____ (country) is claimed under 35 U.S.C. 119.
- 9c. [] The certified copy has been filed in prior application Serial No. _____ filed _____.
10. [X] The prior application is assigned of record to **CONSOLIDATED MINERALS, INC.**
11. [X] Citation Under 37 CFR 1.97 and PTO-1449.
12. [X] The power of attorney in the prior application is to:
Christopher F. Regan, Reg. No. 34,906; Herbert L. Allen, Reg. No. 25,322; Jeffrey S. Whittle, Reg. No. 36,382; David L. Sigalow, Reg. No. 36,006; Richard K. Warther, Reg. No. 32,180; Michael W. Taylor, Reg. No. 43,182; Paul J. Ditmyer, Reg. No. 40,455; Henry Estevez, Reg. No. 37,823; John F. Woodson, II, Reg. No. 45,236; Charles E. Wands, Reg. No. 25,649; Carl M. Napolitano, Reg. No. 37,405; Jacqueline E. Hartt, Reg. No. 37,845; and Mark R. Malek, Reg. No. P-46,894, all of Allen, Dyer, Doppelt, Milbrath & Gilchrist, P.A., P.O. Box 3791, Orlando, FL 32802-3791.

 (name, registration number and address)

- a. [X] The power appears in the original papers in the prior application.

b. ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

c. ☒ **ADDRESS ALL CORRESPONDENCE TO ATTORNEY OF RECORD**

CHRISTOPHER F. REGAN
Allen, Dyer, Doppelt, Milbrath & Gilchrist, P.A.
P.O. Box 3791
Orlando, FL 32802-3791

d. ☒ Please associate this application with Customer No. 27975.



27975


PATENT TRADEMARK OFFICE

13. ☒ Small entity status of this application under 37 CFR 1.27 has been established by a verified statement previously submitted.

14. ☒ I hereby verify that the attached papers are a true copy of prior application Serial No. 09,684,848 as originally filed on October 6, 2000.

The undersigned declare(s) further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

February 21, 2002
Date


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(407) 841-2330

☒ Attorney or agent of record
☐ Inventor(s)
☐ Assignee of complete interest
☐ Filed under Rule 34(a)